

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4564 of 2018

Arising Out of PS.Case No. -367 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Pankaj Kumar S/o Late Shushil Sahni @ Shushil Deo Sahni, R/o
Village- Ajgewa, P.S.- Chousa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 15-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Sour
Bazar P.S. Case No.367 of 2017, a case under Section 304B/34 of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act, pending in the Court of learned Chief Judicial Magistrate,
Saharsa.

Petitioner is husband of the victim of dowry death.
Allegation is demand of dowry and torture for the same and for
non-fulfillment of the dowry demand commission of death by
poisoning the deceased. The doctor has found cellphos in the
viscera report of the victim.

Submission is that the petitioner is in custody since



02.08.2017. The allegation is general and omnibus. In fact, for trivial quarrel in the family the victim herself swallowed the poison. Thereafter, she was carried to hospital by the petitioner and others and just to pressurize the false case has been lodged.

Other witnesses had also supported the allegation of demand of dowry and torture soon before her death.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within nine months without allowing unnecessary adjournments to any of the parties, failing which the petitioner would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

(Birendra Kumar, J)

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